

**CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.**

**Subchapter D. RECORDS, REPORTS, AND OTHER REQUIRED INFORMATION.**

**§26.89. Nondominant Carriers' Obligations Regarding Information on Rates and Services.**

- (a) All nondominant carriers, including those holding a certificate of operating authority or a service provider certificate of operating authority, may, but are not required to file the information set forth in paragraphs (1) - (3) of this subsection. This information shall be updated and kept current at all times.
- (1) A description of the type(s) of communications service provided;
  - (2) For each service listed in response to paragraph (1) of this subsection, the locations in the state (by city) in which service is originated and/or terminated. If service is provided statewide, either origination or termination, the carrier shall so state; and
  - (3) A tariff, schedule or list showing all recurring and nonrecurring rates for each service provided.
- (b) By June 30 of each year, each nondominant carrier that during the previous 12 months has not filed changes to the information filed pursuant to subsection (a) of this section shall file with the commission a letter informing the commission that no changes have occurred. An uncertificated nondominant carrier failing to file either this letter or the updates pursuant to subsection (a) of this section during the 12-month period ending June 30 may no longer be considered to be registered with the commission.
- (c) All nondominant carriers shall comply with the registration requirements in §26.107 of this title (relating to Registration of Interexchange Carriers (IXCs), Prepaid Calling Services Companies (PPC), and Other Nondominant Telecommunications Carriers).
- (d) A nondominant carrier:
- (1) may, but is not required to maintain on file with the commission tariffs, price lists, or customer service agreements governing the terms of providing service;
  - (2) may cross-reference its federal tariff in its state tariff if its intrastate switched access rates are the same as its interstate switched access rate;
  - (3) may withdraw a tariff, price list, or customer service agreement not required to be filed or maintained with the commission under this section if it:
    - (A) files written notice of the withdrawal with the commission; and
    - (B) notifies its customers of the withdrawal and posts the current tariffs, price lists, or generic customer service agreements on its Internet website.
  - (4) is not required to obtain advance approval for a filing with the commission or a posting on the nondominant carrier's Internet website that adds, modifies, withdraws, or grandfatheres a retail service or the service's rates, terms, or conditions;
  - (5) is not subject to any rule or regulatory practice that is not imposed on:
    - (A) a holder of a certificate of convenience and necessity serving the same area; or
    - (B) a deregulated company that:
      - (i) has 500,000 or more access lines in service at the time it becomes a deregulated company; or
      - (ii) serves an area also served by the nondominant telecommunications utility.